

Portability and Mobility

A. PORTABILITY

Housing Choice Voucher Program participants have the option of residing within the jurisdiction of the Housing Authority (HA) that issued their Voucher (the Initial HA) or relocating to the jurisdiction of another Housing Authority (Receiving HA) anywhere in the United States. This is referred to as portability.

1. The OCHA Clients and the OCHA as the Initial Housing Authority

Housing Choice Voucher Program participants who receive their Voucher from the OCHA can move with their assistance outside OCHA's jurisdiction. Restrictions to this portability feature are:

- An OCHA Housing Choice Voucher program participant may not move outside Orange County if they owe an outstanding balance to a landlord or to the Housing Authority for unpaid rent or damages.
- Program participants who receive assistance through the Family Unification Program administered by the OCHA do not move outside the area of Orange County.

Portability procedures to move outside OCHA's jurisdiction:

- An OCHA program participant must submit a written request to transfer their Voucher assistance to another HA outside Orange County. Such requests must include the name and address of the Receiving HA, or where the "portability transfer packet" will be sent.
- In order to process a participant's request for portability, the OCHA will require:
 - a. A copy of the tenant's thirty-day notice or a mutual rescission from the tenant and landlord to verify the tenant is in good standing. After receiving notification, the OCHA will complete the termination and discontinue Housing Assistance Payments to the tenant's current owner.
 - b. The OCHA will send the Receiving HA a "portability packet" notifying them that an OCHA participant has requested portability, as an eligible program participant, into their jurisdiction.
 - c. The Receiving HA has the option of: 1) Administering the Housing Voucher issued to the portability family; or 2) Absorbing the OCHA participant into their program and releasing the Voucher for OCHA to reissue.
 - d. The Receiving HA is required by HUD to notify the OCHA of the status of the portability tenant within 180 days after receiving the transfer package. If the OCHA has not received notification of a new lease/contract within this time, the OCHA will terminate the assistance of the portability family, and reissue the Voucher to the next eligible name on the waiting list.

2. The OCHA as the Receiving Housing Authority

Housing Choice Voucher Program participants from another HA, moving into the OCHA's jurisdiction:

- Voucher program participants from a HA outside of Orange County may relocate into the OCHA's jurisdiction and receive assistance under portability.

- As the Receiving HA, the OCHA will perform an initial criminal background check. The OCHA has the option of: 1) Absorbing a portability household into the OCHA's Section 8 program and notifying the Initial HA; or 2) Administering the rental assistance for the portability household and billing the Initial HA for reimbursement of costs and expenses.
- Portability procedures for Voucher Program participants moving into the OCHA's jurisdiction from a HA outside Orange County:
 - a. The OCHA will conduct an initial review of all incoming portability households to verify identifying documents, family income and composition.
 - b. The OCHA will determine the bedroom size of the Voucher the portability household will be eligible to receive, based upon the OCHA's Occupancy Standards.
 - c. The OCHA will conduct an individual briefing for each relocating portability household at the time of their initial review to inform them of HUD regulations and the OCHA's policies and procedures.
 - d. HUD's rules regarding rent and income limitations will be applied to all portability households. Those requesting to be leased in a unit whose contract rent exceeds the OCHA's payment standard will be denied if the families' share of rent exceeds 40% of their adjusted income.
 - e. Regular contributions and gifts received as consistent monthly payments for one year from persons inside and outside the household are counted as regular contributions for tenant rent calculation purposes.

This includes rent and utility payments paid on behalf of the family and other cash or non-cash contributions provided on a regular basis.

Casual contributions or sporadic gifts are not considered regular contributions and /or gifts.

An affidavit will be obtained from the client, noting the source of such contributions or gifts wherever possible. Third-party verification will be used when obtainable.
 - f. The OCHA will apply the rule of using a minimum \$50 total tenant payment (TTP) to calculate the portability household's share of rent, should a zero income be reported by the Initial HA, at the time of their transfer to the OCHA.

B. MOBILITY

This provision enables participants in Orange County's four Housing Authority jurisdictions to relocate within the County.

The cities of Garden Grove, Santa Ana, and Anaheim each have their own Housing Authority (HA) and are not within the jurisdiction covered by the Orange County Housing Authority. The OCHA entered into a Mobility Agreement with the Housing Authorities of Garden Grove (GG), Santa Ana (SA) and Anaheim (AN), and have agreed to the following procedures to enhance housing opportunities for participants:

A mobility tenant is one who receives rental assistance from one of the Housing Authorities within the County of Orange and may move freely within the County of Orange and remain with the HA who originally issued their Voucher assistance.

In order to clearly distinguish Mobility from Portability, the term “Issuing HA” is used to refer to a PHA that issues a Voucher to a family participating in the Housing Choice Voucher Program in Orange County that wishes to move to another HA’s jurisdiction within Orange County.

The term “Host Jurisdiction” is used to refer to the jurisdiction of a HA in Orange County where the Issuing HA is not otherwise authorized to administer its programs, but to which an eligible family wishes to move and use a Voucher issued by the Issuing HA.

Each Issuing HA will retain all administrative responsibilities for their assisted tenants and will request a Housing Quality Standards (HQS) inspection be performed by the Host HA for the city to which their tenant is requesting to be located.

1. A program participant from one of the four Housing Authorities who wants to move into another jurisdiction within Orange County:

- Must complete and return a Request for Tenancy Approval (RTA), signed by both the tenant and the owner.
- A request for a mobility inspection will be sent through a courier service, which will deliver the requests between the four HAs.
- The HA receiving the request for an HQS inspection, will schedule the date and time of the inspection with the owner (within **15 calendar days** if the unit is ready for inspection).
- When the unit has passed inspection, a notice will be sent to the Issuing HA, and the completed inspection form will be returned through the weekly courier service.
- The Issuing HA will complete all additional lease/contract processes required to generate the owner’s monthly Housing Assistance Payment.

2. The Host HA is required to conduct annual inspections:

- The Issuing HA notifies the Host HA at least 60 days prior to the annual reexamination date.
- The inspection is scheduled by the Host HA.
- The status of inspections is tracked and the passed inspections are returned in the weekly courier service.
- If the unit fails twice, the Issuing HA will be notified to contact the owner and decide whether to abate payment or decide what other follow-up action is necessary.